



DELTA STEWARDSHIP COUNCIL

A California State Agency

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Date: November 14, 2011
To: Delta Stewardship Council Members
From: Joe Grindstaff, Executive Officer
Subject: Meeting, November 17-18, 2011

Chair
Phil Isenberg

Members
Randy Fiorini
Gloria Gray
Patrick Johnston
Felicia Marcus
Hank Nordhoff
Don Nottoli

Executive Officer
P. Joseph Grindstaff

The agenda for our twenty-first meeting, and supporting material, is attached. Some additional handouts may be provided at the meeting. Unlike the majority of our Council meetings, November's meeting will be held in a different venue: the Sheraton Grand Hotel (Gardenia Room), 1230 J Street (13th and J Streets), Sacramento, CA 95814.

Thursday's agenda will touch on many substantive topics such as the Chair's Report, a briefing of the Delta Plan Work Sessions, and the Lead Scientist's Report. But, Thursday's agenda concludes with a very important item – a Public Hearing to take oral comment on the Delta Plan Draft EIR. This first hearing will take place from 1:00 p.m. to 4:30 p.m. and involves a court reporter who will record the comments for inclusion in the EIR formal public record (a second hearing will take place on December 15, 2011). Friday's agenda includes a panel discussion on stressors in the Delta and an update on the Bay Delta Conservation Plan.

Update from Delta Watermaster (Agenda Item 8)

Craig Wilson, the Delta Watermaster, will brief the Council on a report entitled: *Statements of Water Diversions and Use: Providing a Better Picture of Water Use in the Delta*. The California Water Code directs the Delta Watermaster to submit regular reports to the State Water Resources Control Board (SWRCB) and to the Council on water issues. Mr. Wilson recently drafted the report, which discusses the SWRCB's creation of the Statements of Water Diversions and Use Program and its goal to maintain statements of water diversion and use. He presented it to the SWRCB on November 1, 2011. He will brief the Council on this report and engage in a discussion with Council members.

Update on Delta Plan Draft Environmental Impact Report (EIR) (Agenda Item 9)

On Friday, November 4, 2011, the DSC staff released (and posted on the DSC website) a draft Program Environmental Impact Report (Draft PEIR) on the Delta Plan for public review and comment, as required by CEQA. The comment period is for 60 days, beginning on November 4 and ending on (and including) January 3, 2012. The "Proposed Project" (CEQA terminology) for the Draft PEIR is the suite of 12 binding regulatory policies and 61 nonbinding recommendations contained in the Fifth Staff Draft Delta Plan (which was released in August 2011).

"Coequal goals" means the two goals of providing a more reliable water supply for California and protecting, restoring, and enhancing the Delta ecosystem. The coequal goals shall be achieved in a manner that protects and enhances the unique cultural, recreational, natural resource, and agricultural values of the Delta as an evolving place."

– CA Water Code §85054

The Draft PEIR also describes and analyzes at the same level of detail as the Proposed Project, a reasonable range of alternatives; in this case, a “No Project” alternative (an assessment of the environment if no Delta Plan is adopted), and four alternatives informed by, and based on, comments and proposals by various stakeholder groups, communities and other interested persons. The environmental impacts of the alternatives are compared to those of the Proposed Project and to existing conditions.

It will take time for staff to review and process the extensive public comments the draft EIR will generate. Obviously, unexpected delays in the draft EIR schedule have impacted our Delta Plan schedule, but we plan to continue to work towards completing the Plan as soon as possible. It is likely that with these changes to our schedule the Delta Plan adoption will be delayed by at least three months.

Council Recommendations on Department of Fish and Game Proposed Striped Bass Regulation and Department of Pesticide Regulation Proposed Pyrethroid Pesticide Regulation Action (Agenda Item 16)

This report provides information and staff recommendations for Council comments on the California Department of Fish and Game’s (DFG) proposed changes to striped bass sport fishing regulations, and the California Department of Pesticide Regulation’s (DPR) proposed pyrethroid pesticide regulatory action. On November 4, 2011, DFG released a draft of proposed changes to striped bass sport fishing regulations that would allow additional harvesting. The proposal is supported by the United States Fish and Wildlife Service (USFWS) and the National Oceanic and Atmospheric Administration (NOAA) National Marine Fisheries Service and is intended to help recover several fish species listed under the California and federal Endangered Species Acts, including Chinook salmon, steelhead, delta smelt and longfin smelt.

The November meeting is being held at a new venue. It will be in the Gardenia Room of the Sheraton Grand Hotel. The address is 1230 J Street (13th and J Streets), Sacramento, CA 95814. If I can answer any questions or provide any information, please contact me at (916) 445-4500 or jgrindstaff@deltacouncil.ca.gov

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